

United States District Court
Southern District of Texas
FILED

SA091 (Rev. 8/01) Criminal Complaint

JAN 28 2013

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

* UNSEALED
David J. Bradley, Clerk

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

1. Fernando GUERRA, Jr. 2/8/13 *

DOB: 1988 / U.S. Citizen

Case Number: M-13-0134-M

2. Alvaro Gilberto DEHOYOS 3/5/13 *

DOB: 1987 / U.S. Citizen

United States Citizen

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or May 5, 2011 in Hidalgo the Southern District of Texas

(Track Statutory Language of Offense)

intentionally and knowingly conspired and agreed to possess with intent to distribute a controlled substance. The controlled substance involved more than 5 kilograms of cocaine, a Schedule II controlled substance and more than 100 kilograms of marijuana, a Schedule I controlled substance.

in violation of Title 21 United States Code, Section(s) 846

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: ☒ Yes

Jean Paul Reneau
Signature of Complainant

Jean-Paul Reneau, HSI
Printed Name of Complainant

Sworn to before me and signed in my presence,

January 28, 2013 4:32 PM
Date at

McAllen, Texas
City and State

U.S. Magistrate Judge Peter E. Ormsby

Name and Title of Judicial Officer

Peter E Ormsby
Signature of Judicial Officer

On May 5, 2011, Fernando GUERRA, Jr. met with a Confidential Source (CS) to discuss the transportation of approximately 1,500 pounds of marijuana to Houston, Texas. During the meeting, the CS was provided approximately two-thousand dollars (\$2,000.00) to pay for transportation costs.

On May 6, 2011, the CS again met with GUERRA Jr., and GUERRA, Jr. took the CS to a residential property in Pharr, Texas in order for the CS to acquire the tractor-trailer which contained the narcotics. After taking possession of the tractor-trailer, the CS drove it to the Flying J truck stop where the CS awaited instruction from GUERRA, Jr. regarding the acquisition of a cover load. After approximately two hours, GUERRA, Jr. contacted the CS and informed the CS that they were having difficulty in finding a cover load. GUERRA, Jr. informed the CS was then informed that someone would be arriving at the Flying J to transport the CS back to the residence in Pharr. Subsequently, Alvaro Gilberto DEHOYOS arrived at the Flying J and took the CS back to the Pharr property. During the trip from the Flying J to Pharr, Texas, DEHOYOS informed the CS that he constructed non-factory compartments in vehicles on behalf of GUERRA Jr., including a compartment in the tractor-trailer which was located at the Flying J.

Later that day, the CS traveled back to the Flying J to await the cover load. However, the CS was subsequently informed by GUERRA, Jr. that the cover load of produce was not available until the following day. GUERRA, Jr. instructed the CS to return the tractor-trailer to Pharr, Texas. As the tractor-trailer traveled to Pharr, Texas, officers with Pharr P.D. conducted a traffic stop on the tractor-trailer. A subsequent search of the vehicle resulted in the discovery of approximately thirty-two (32) kilograms of cocaine and approximately six-hundred and twenty one (621) kilograms of marijuana hidden within a compartment located in the walls of the trailer.